THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.29192 of 1997

Dated:30.04.2007

Between
V.Tripura

.....Petitioner

and

The Board of Trustees,
Tirumala Tirupathi Devasthanam
Rep., by its Executive Officer,
Tirupathi,Chittoor District.

...Respondent

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.29192 of 1997

ORDER:

The grievance of the petitioner is that himself and some other persons were appointed as Associate Lecturers under Special Scheme evolved by the respondent-Tirumala Tirupathi Devasthanam in the year 1992. Thereafter, a similarly situated person approached this Court by way of filing a writ petition No.5698 of 1993 seeking to declare him that he is entitled for pay, allowances and other benefits with retrospective effect from 1.11.1984 and consequential benefits. The said writ petition was allowed holding that the Board of Trustees passed Resolution No.219 dated 12.6.1989 approving the qualifications of Commercial Instructor in School Education and a recommendation was made to the

Government for approval of the Devasthanam's resolution.

Learned counsel for the petitioner asserted that the case of the petitioner stands on the same footing, therefore, all the benefits which are extended to one R.Chinnaswamy Naidu as per the above Judgment, shall also be liable to be extended to the petitioner.

In the counter, it is admitted that the petitioner is Senior to R.Chinnaswamy Naidu. It is stated that since number of individuals have filed writ petitions seeking the same benefits which were extended to R.Chinnaswamy Naidu based on the irregular orders dated 11.9.1992 issued in respect of E.Subramanyam, it has become inevitable to the respondent to contest all the writ petitions as people are taking undue advantage of the orders of the Court based on insufficient information, and as such it was necessary to get the Judgment delivered in W.P.No.5698 of 1993 reversed, by filing the SLP, in the Supreme Court. Learned counsel

for the respondent submits that the benefits extended to E.Subramanyam were withdrawn, but it was continued in view of the Judgment in the case of R.Chinnaswamy Naidu. Therefore, the petitioner is not entitled for any such relief.

I am not in agreement with the submissions made by the learned counsel for the petitioner. In fact the petitioner is senior to R.Chinnaswmay Naidu, he was extended some benefits, that were subject matter of writ petition against which an SLP has been filed. The result of SLP is not known. In view of the fact that R.Chinnaswamy Naidu is drawing such benefits, I am of the considered opinion that the petitioner is also entitled for the benefits as was extended to R.Chinnaswamy Naidu.

In the result, the writ petition is allowed and the impugned order dated 21.9.1997 is quashed. No costs.

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30-04-2007

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